

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0232

Development description: construction of garden room to rear

Site address: Broxa Farm, Broxa Hill, Broxa

Parish: Broxa-Cum-Troutsdale

Case officer: Miss Lucy Gibson

Applicant: Mrs Jane Swiers

Broxa Farm , Broxa Hill, Broxa, Scarborough, YO13 0BP

Agent: Francis Johnson & Partners

fao: Mr Malcolm Stather, Craven House, 16 High Street, Bridlington, YO16 4PT

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>
2	PLAN02	<p>Strict Accordance With the Plans/Specifications or Minor Variations</p> <p>The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.</p>
3	WPDR00	<p>Withdrawal of PD Part 1 Class A - Extensions Only (insert)</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no extensions to the property known as Broxa Farmhouse shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</p>
4	GACS00	<p>No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Night Skies compliant, fitted with a warm white bulb of 3000k or less and no more than 500 lumens. All lighting fixtures should be shielded/fully cut off to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.</p>
5	MATS03	<p>Stonework to Match</p> <p>All new stonework used in the development hereby permitted shall match that of the existing building including the colour and texture of the stone and the method of coursing and pointing</p>

		unless otherwise agreed with the Local Planning Authority.
6	MATS72	Black Coloured Rainwater Goods The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	PLAN00	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
3	WPDR00	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C and Policy CO17 of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park, secure high quality design for new development and to maintain a suitable mix of housing types within the National Park.
4	GACS00	In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
5	MATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6	MATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of

		the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
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Informative(s)

Informative number	Informative code	Informative text
1	INFO0	In order to safeguard the quality of the dark night skies and night time environment for nocturnal species, the applicant is advised to ensure the enlarged areas of glazing and new glazing serving the development hereby approved is treated or shielded to minimise light spill (through tinting, or use of electronically controlled blinds or smart glass).
2	INFO0	With reference to condition no. 4 above, further advice and guidance in relation to suitable external lighting fixtures is available on the Authority's website: https://www.northyorkmoors.org.uk/discover/dark-skies/dark-skies-friendly-lighting or by contacting the Authority at planning@northyorkmoors.org.uk < mailto:planning@northyorkmoors.org.uk >
3	MISCINF01	Bats All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
4	MISCINF12	Birds Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1

		<p>is available from Natural England http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
5	INFO0	<p>Swift (<i>Apus apus</i>) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; https://www.swift-conservation.org/ with additional swift box ideas from Action for Swifts; http://actionforswifts.blogspot.com/search/label/nestbox%20design</p>

Consultation responses

Parish

No objections

Highways

None received

Third party responses

None received

Publicity expiry

Advertisement/site notice expiry date: 03 May 2022



This photograph shows the rear elevation of Broxa Farmhouse and the proposed siting of the garden room.

Background

Broxa Farm comprises a working farmstead situated to the north eastern end of the small hamlet of Broxa. The farmstead comprises a traditional stone and pantile farmhouse and adjacent L shaped range of traditional stone and pantile agricultural buildings. To the opposite side of the road, there are numerous modern agricultural buildings that serve this working farm.

In 1983 planning consent was granted for the construction of a two-storey extension to the rear elevation and a single storey extension on the north eastern gable. The small stone and pantile garage building to the north east of the main house was also approved to be converted to a guest wing/ annex.

This application seeks planning permission for the construction of a rear garden room which would effectively form an extension to an existing kitchen/utility room.

Main issues

Local Plan

The relevant NYM Local Plan Policies to consider with this application are Strategic Policy C (Quality and Design of Development) and Policy CO17 (Householder Development).

Strategic Policy C relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

Policy CO17 requires new development within the domestic curtilage to take full account of the character of the local area and special qualities of the National Park. Development will only be permitted where: the scale, form, position and design do not detract from the original dwelling or its setting; the development does not adversely affect residential amenity of neighbouring occupiers or that of the host property; the development reflects the principles set out in the Authority's Design Guide. In order to achieve a subservient extension, Policy CO17 states that extensions should not increase the total habitable floorspace by more than 30% (unless there are compelling planning reasons for a larger extension) and that the design detail complements the architectural form of the original dwelling.

Material considerations

The main issues to consider with this application are whether the proposed alterations and extension is of an acceptable design and scale in relation to the host property and wider locality.

The proposed garden room would extend from the rear of the property and would be attached to the side of the two storey gabled extension approved in 1989. The garden room would be a predominately glazed timber structure with a flat roof and lantern and stone dwarf wall to match the host dwelling.

Although predominantly glazed, the structure would be open to and effectively form an extension to provide a larger kitchen. Whilst it would therefore provide additional habitable floor space for the purposes of the 30% limit as imposed by Policy CO17, in this particular instance it is not considered that the additional kitchen floor space would compromise the objective of Policy CO17 in helping to maintain a mix of dwelling types and balanced communities. As the extension is also considered to be acceptable in design terms it is concluded that no significant conflict with the Policy would arise.

As the dwelling has been subject to many extensions in the past, permitted development rights for extensions have been removed to ensure the site does not become overdeveloped and to help maintain a suitable mix of housing types within the National Park, in accordance with Policy CO17.

As outlined in the Part 2 of the Authority's Design Guide, flat roof extensions should be avoided. However, it is considered that in this case, the design would be acceptable as the flat roof would be interrupted by the large roof lantern. Further to this, the garden room would use materials to match the host dwelling and would be subservient in its proposed size. As such it is considered that the proposed extension would not detract from the character of the property or wider locality.

The Authority's Conservation team have also raised some concerns regarding increased internal light spill from the proposed large expanses of glazing, as such a condition restricting the use of up lighting and an informative detailing the uses of solar control films have been applied.

Due to the location of the proposed garden room at the rear of the farmhouse, it is anticipated that the extension would not result in loss of amenity to neighbouring occupiers.

In view of the above, the proposal is considered to adequately meet the requirements of the above planning policies and as such, approval is recommended.

Pre-commencement conditions

N/A

Explanation of how the Authority has worked positively with the applicant/agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.